

NORTHERN ARIZONA REGIONAL
BEHAVIORAL HEALTH AUTHORITY

MAURICE W. MILLER, A.C.S.W.
Chief Executive Officer

November 23, 1999

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NOV 24 1999

FCC MAIL ROOM

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Subject: Docket Nos. 96-45 and 97-21

Dear FCC,

We are appealing the denial of funding by the Universal Service Administration for Health Care Provider 10025, Community Counseling Centers, Winslow, Arizona location.

The denial letter dated November 11, 1999 states the reason for this denial was that our "FCC Forms 466 and 468 indicate that you (we) selected a carrier on July 1, 1998 (during the FCC Form 465's 28 day posting period)" (see attached). This is incorrect. We did not **select** the carrier on July 1, 1998.

These forms requested the date that "**services commenced**," NOT the date that the carrier was selected, which was November 1997 (the date this circuit 14hcgs248798ms, BTN 520f235503 was ordered from US West), seven months prior to the actual installation date (according to US West) of June 16, 1998 (see attached letter to US West dated February 18, 1998), and two days prior to the indicated "posting date" of the FCC Form 465 of June 18, 1998. Nothing actually occurred during the 28 day posting period, other than a tariff increase.

The July 1, 1998 date came from a document titled "INTERSTATE PRIVATE LINE TRANSPORT SERVICE SERVICES PRICING PLAN ACKNOWLEDGMENT," (see attached) created by US West for this Universal Service Fund program, which clearly indicates an "as of" date (commencement date) of 11-24-97 which was crossed out and the 7-1-98 date written in beside it with the hand written note "Rate decrease Tariff change 7/1/98."

Based on this documentation, please reverse this denial, and allow this qualified support to be awarded.

If you need any further documentation of the events noted in this appeal, please do not hesitate to contact me directly at (520) 774-7128 or by e-mail at cathy.narbha@narbha.com and I will attempt to acquire the requested items.

Sincerely,

Catherine P. Romeo-Wolff
Telemedicine Specialist

No. of Copies rec'd 1
List ABCDE

125 E. Elm, Suite E • Flagstaff, AZ 86001 • (520) 774-7128 • FAX (520) 774-5665
611 N. Leroux • Flagstaff, AZ 86001 • (520) 774-2070 • FAX (520) 774-1661



UNIVERSAL SERVICE
ADMINISTRATIVE CO.

Rural Health Care Division
7420 Fullerton Road, Suite 104
Springfield, VA 22153

www.rhc.universalservice.org
Voice: 800-229-5476
Fax: 703-923-1186

11/11/99

Catherine P Romeo-Wolff
Northern Arizona Regional Behavioral Health Authority
125 East Elm Ave.
Flagstaff, AZ 86001

RECEIVED NARBA

Route to:

NOV 15 1999

Subject: Funding Denial Letter.

Dear Catherine Romeo-Wolff:

Thank you for your interest in the telecommunications service support program for rural health care providers that the Universal Service Administrative Company (USAC) administers for the Federal Communications Commission (FCC). The Rural Health Care Division (RHCD) of USAC has completed a review of the FCC Forms that you submitted to RHCD for the purpose of receiving universal service support. Based on the information on these forms, we are unable to provide support to your carrier, to enable you to receive the benefit of discounted telecommunications services for the 1998-funding year (January 1, 1998 to June 30, 1999). This is because you selected a carrier before the 28-day waiting period had expired.

As you will recall, the first step in the application process was your submission of the FCC Form 465, which identifies the telecommunications services for which you are seeking support. Section 54.603(b)(2) of the FCC's rules require USAC to post each FCC Form 465 that it receives from an eligible health care provider on USAC's website. It also states that,

After posting an eligible health care provider's FCC Form 465 on the Administrator's website, the Administrator shall send confirmation of the posting to the entity requesting services. **The health care provider shall wait at least 28 days from the date on which its FCC Form 465 is posted on the website before making commitments with the selected telecommunications carrier(s).**

Our records reveal that RHCD posted your FCC Form 465 on the website on June 18, 1998. On July 8, 1998, RHCD sent a letter to you notifying you of the date of the posting. This letter also reminded you of the need to wait 28 days before selecting a carrier. Your FCC Forms 466 and 468 indicate that you selected a carrier on July 1, 1998. As a result, we regret to inform you that we are unable to provide any support to you for the first funding year.

We have sent this letter to both the rural HCP mailing address (above) and the rural HCP physical location (below) if these addresses are different.

HCP Number: 10025

HCP Contact Name: Jackie Reichenbach

HCP Name: Community Counseling Centers

HCP Address: 209-211 East Third St.
Winslow, AZ 86047

In addition, a copy of this letter has been sent to the entity identified below as your servicing telecommunications carrier.

Telecommunications Carrier Name: US West Comm
Service Provider Identification Number (SPIN): 143005231

The RHCD recognizes that you may disagree with our decision. **If you wish to file an appeal, your appeal must be received no later than 30 days after the date of this letter.**

In the event that you choose to appeal the decision, you should submit your appeal to the RHCD and follow these guidelines:

- Write a "Letter of Appeal to RHCD" explaining why you disagree with this Funding Denial Letter and identify the outcome that you request;
- Write and mail your letter to:
Letter of Appeal
Rural Health Care Division / USAC
7420 Fullerton Road, Suite 104
Springfield, VA 22153
- Appeals submitted by fax, telephone call, and e-mail **will not** be processed.
- Provide necessary contact information. Please list the name, address, telephone number, fax number, and e-mail address (if available) of the person who can most readily discuss this appeal with the RHCD.
- Identify the "HCP Name" and "Work Order Number(s)," if any, from this letter.
- Explain the appeal to the RHCD. Please provide documentation to support your appeal.
- Attach a photocopy of this Funding Denial Letter that you are appealing.

The RHCD will review all "letters of appeal" and respond in writing within 45 days of receipt thereof. The response will indicate whether the RHCD:

- (1) agrees with your letter of appeal, and approves an outcome that is different from the Funding Denial Letter; or
- (2) disagrees with your letter of appeal, and the reasons therefor.

If you disagree with the RHCD response to your "letter of appeal," you may file an appeal with the FCC within 30 days of the date the RHCD issued its decision in response to your "letter of appeal." The FCC address where you may direct your appeal is:

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Please be sure to indicate the following information on all communications with the FCC: "Docket Nos. 96-45 and 97-21."

In the alternative, you may write and send an appeal letter directly to the Federal Communications Commission (FCC), and bypass the RHCD. Your letter of appeal to the FCC must at least explain why you disagree with the RHCD decision. You are also encouraged to submit any documentation that supports your appeal. Again, please be sure to indicate the following in the subject line of your letter to the FCC: "Docket Nos. 96-45 and 97-21." You may obtain further information regarding the

FCC requirements for an appeal by consulting the FCC rules. The FCC rules governing the appeals process (Part 54 of Title 47 of the Code of Federal Regulations 54.719 – 54.725) are available on the RHCD web site (www.rhc.universalservice.org). While you may write directly to the FCC without first presenting your appeal to the RHCD, you are encouraged to write first to the RHCD so that we have an opportunity to review your appeal and grant it, if appropriate.

Please note that we are currently accepting applications for the second funding year (July 1, 1999 through June 30, 2000), and would welcome your participation. If you wish to apply for support for telecommunications services that you will receive in Year Two, you must complete and have a Year Two Form 465 posted on RHCD's web site for 28 days before you will be eligible to receive support for your selected telecommunications service and carrier. If you have not completed Form 465 for Year Two, you should do so immediately in order to receive support for Year Two.

The RHCD regrets any inconvenience our decision may cause you. If you have questions or concerns regarding this letter, please contact our Customer Service Support Center at 1-800-229-5476. Hours of operation are from 8AM to 8PM Eastern Time, Monday through Friday.

Sincerely,

USAC, RHCD

cc: Western Telephone Company, Millersville Health Clinic



PricewaterhouseCoopers LLP • 1616 N. Fort Myer Drive • Arlington • VA • 22209-3195

July 8, 1998

Catherine P. Romeo-Wolff
125 East Elm Street
Suite E
Flagstaff, AZ 86001

RE: Community Counseling Centers

Dear Consortium Representative:

Form 465—Description of Services Requested and Certification Form—is approved by the Rural Health Care Corporation for some or all of your consortium members. This completes the first step in the application process for Universal Service support.

This letter was sent to you (i.e., the consortium representative) exclusively. Please forward this information, as needed, to the appropriate consortium members.

1. Eligible consortium members include:

- CCC, 105 North Fifth Ave., Holbrook, AZ 86025
- CCC, 209-211 East Third Street, Winslow, AZ 86047
- CCC, 2550 Show Low Lake Road, Show Low, AZ 85901

2. Ineligible consortium members include:

- none

The process for obtaining support for **new service** differs from the process for obtaining support for **existing service**. Please read the detailed descriptions carefully.

New Service

All requests for eligible new service were posted on our Web Site on **June 18, 1998**. To comply with the competitive bidding requirement, each consortium member requesting new service must wait 28 days from the date Form 465 is posted on the Web Site before it may sign a contract for supported telecommunications services.

- Telecommunications service providers should contact you to negotiate the rates and conditions of providing the requested services. We encourage you to contact several providers to obtain the best rate.
- Once the telecommunications services are contracted, complete Form 466 (Services Ordered and Certification Form).
- A separate Form 466 is required for each eligible consortium member (i.e., health care provider location); and a separate Form 466 is required for each telecommunication provider. For instance, a consortium with three members & two Telcos per member must submit six Forms 466.
- Form 466, easy instructions and detailed instructions are enclosed to help you complete the form.
- You should receive a completed Form 468 (Telecommunications Service Provider Support Form) and a Form 468 worksheet from your telecommunications service provider for supported services. Form

Agreement No. A37315

INTERSTATE PRIVATE LINE TRANSPORT SERVICES
PRICING PLAN ACKNOWLEDGMENT

for
NORTHERN ARIZONA REGIONAL BEHAVIORAL HEALTH AUTHORITY
Customer's Legal Name ("LMA")

I hereby order from U S WEST Communications, Inc., ("U S WEST") the U S WEST Interstate Access Service ("Service") indicated below. I understand and agree that U S WEST provides Service solely under the Regulations, Rates and Charges of U S WEST's Interstate Access Tariff F.C.C. No. 5 ("Tariff") which governs Service.

Service Requested

- ☐ Analog Private Line Service - Video ☐ Analog Voice Grade 4W ☐ Digital Data/Speed Requested ☒ DS1/1.544 Mbps ☐ DS3/44.736 Mbps ☐ SST/Speed Requested ☐ SHNS/Speed Requested ☐ SVDS/Speed Requested ☐ SONET Ring Service

Provide Service between 611 N LEROUX ST and 211 E 3 ST
FLAGSTAFF, AZ WINSTON, AZ

Billing No. J520-523-5503-467 Circuit No. 14KGS 248798

Optional Features: 36 MONTH RATE STABILIZED CONTRACT

☐ If checked, additional Service information is attached to this Acknowledgment, however, attachments will not add to or change, the Regulations, Rates and Charges of the Tariff.

Rate Plan

The following Monthly Rate ("Rate") for Service reflects the Rates currently in effect in the Tariff. I understand the actual Rate will be those in effect in the Tariff on the first date of installation of Service, or for existing Service, the date the service order is completed by U S WEST, and will increase or decrease as tariffed rates change, unless these rates are locked in for a fixed term.

Total Monthly Rate: \$ 1122.31 as of 11-24-97 7/1/98 Rate decrease
1125.80 DATE Tariff Change 7/1/98

I have selected Tariff's Pricing Plan. ("Plan") which protects the Rate from U S WEST Initiated Rate increases for THIRTY-SIX 36 months ("Plan Term") and I understand: 1) If Plan's Rates decrease, my Rates will also decrease, where allowed by Tariff and; 2) If I disconnect Service, in whole or in part, after Service is installed, but prior to the completion of the Plan Term, Tariff's discontinuance charges may apply.

If I change or cancel my order for Service, in whole or in part, prior to installation, Tariff charges may apply.

☒ If checked, I hereby certify that Service listed above qualifies for exemption of the Special Access Surcharges in accordance with the Tariff under exemption category E4. Written notification will be provided to U S WEST at such time the exemption is no longer applicable due to changes or re-termination of any Service.

Authorized Customer Signature

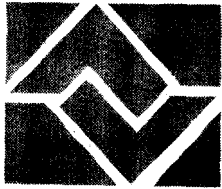
SILVIA RICHARDS
U S WEST Contact (Printed Name)

Maurice Miller, C.E.O.
Name Typed / Printed and Title

BGS
Market Unit

7/1/98
Date of Signature

602-600-634
Telephone Number



NORTHERN ARIZONA REGIONAL
BEHAVIORAL HEALTH AUTHORITY

MAURICE W. MILLER, A.C.S.W.
Chief Executive Officer

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FCC MAIL ROOM

February 18, 1998

Sue Larsen
Arizona Director
US West Communications Services
3033 N. 3rd Street, Suite 607
Phoenix, Arizona 85012

Dear Ms. Larsen:

Since the fall of 1996, Northern Arizona Regional Behavioral Health Authority (NARBHA) has been installing a telemedicine system in northern Arizona, based on T1 lines. There are currently 12 sites that have been installed. This project has been funded by the Arizona Department of Health Services and has received national recognition as one of the Top 10 Telemedicine Sites in the United States by *Telemedicine and Telehealth Networks* magazine.

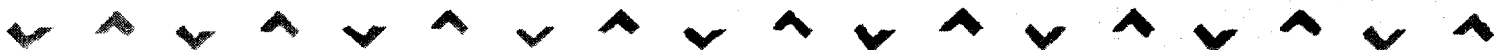
Since we began this project, we have received quotes from our account representative, Sylvia Richards, for additional communities we planned to eventually connect to. Winslow is a community we have been interested in and have received quotes on numerous times. In each instance when we received a quote on the cost of a line from Flagstaff to Winslow, there was no indication of any problem with installing this line. Finally, through additional funding from the Arizona Department of Health Services, we placed an order for a T1 line in November, 1997.

Several weeks after placing the order for the line, we learned from Sylvia that there were "facilities problems". It was not until 2/13/98 that we learned that this meant that lines needed to be laid and would not be complete until 12/98.

This delay has created major problems for us, both with our funding source, the Arizona Department of Health Services (ADHS), and our equipment vendor, NORSTAN Communications. In fact, NARBHA has already had to make one payment to NORSTAN for the equipment, and they are demanding the remainder of their funds. Yet, without the T1 lines in place, NARBHA cannot meet the obligations of its contract with ADHS and may be at risk of losing the funding for the Winslow equipment.

Certainly, the largest hurdle NARBHA has had to face in implementing its telemedicine network has been the interface with the phone companies. Estimated install dates have

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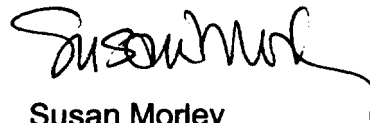


Letter to: Sue Larsen
February 18, 1998
Page 2

been delayed from 3-6 months, it takes constant follow-up on our part to find out the status of our delayed orders, and there have been billing errors which have taken months to correct. Yet quoting us costs of lines which cannot be installed for more than a year is the worst offense to date and puts our program and our credibility in extreme jeopardy. And of course, failure to install the lines leaves the residents of Winslow without the additional psychiatric services which are needed.

We ask your help with this matter and reconsideration of the timetable to install T1 lines to Winslow.

Sincerely,



Susan Morley
Telemedicine Project Director

cc: The Honorable Robert Burns
The Honorable John Wettaw
The Honorable Lou-Ann M. Preble
The Honorable John Verkamp
Rhonda Baldwin, Arizona Department of Health Services,
Behavioral Health Services
John Lee, Joint Legislative Budget Committee
Phil Lopes, Arizona Department of Health Services
Jim Irvin, Arizona Corporation Commission
Renz Jennings, Arizona Corporation Commission
Carl Kunasek, Arizona Corporation Commission
Sylvia Richards, US West Communications
Bob Wierschem, NORSTAN Communications
Bob Wilderman, Community Counseling Centers